

DOCKETED

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

FILED

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ALLIED LEISURE INDUSTRIES, INC.,)

Plaintiff,)

v.)

MIDWAY MANUFACTURING CO.,)

Defendant.)

CIVIL ACTION NO. CT COURT

73 C 2682

NOTICE OF DEPOSITIONS

TO: George H. Gerstman
Lettvin and Gerstman
135 South LaSalle Street
Chicago, Illinois 60603

PLEASE TAKE NOTICE, that beginning at 10:00 a.m. on Tuesday, November 6, 1973, at the offices of Fitch, Even, Tabin & Luedeka, 135 South LaSalle Street, Suite 2157, Chicago, Illinois, before a Notary Public or other officer duly qualified, defendant will proceed to take the deposition upon oral examination of George H. Gerstman, an affiant as to the matters of fact and opinion in the above-captioned law suit.

Defendant will also proceed to take the deposition upon oral examination of Universal Research Laboratories, Inc., through its officers, managing agents and employees, and specifically from Mr. William E. Olliges, its president and also an affiant as to matters of fact and opinion in the above-captioned law suit, and from any other person or persons designated by Universal under Rule 30(b)(6) of the Federal Rules of Civil Procedure as having knowledge of facts relevant to the matters presented by

FITCH, EVEN, TABIN & LUEDEKA
135 SOUTH LA SALLE STREET
CHICAGO, ILLINOIS 60603
TELEPHONE FRANKLIN 2-7842

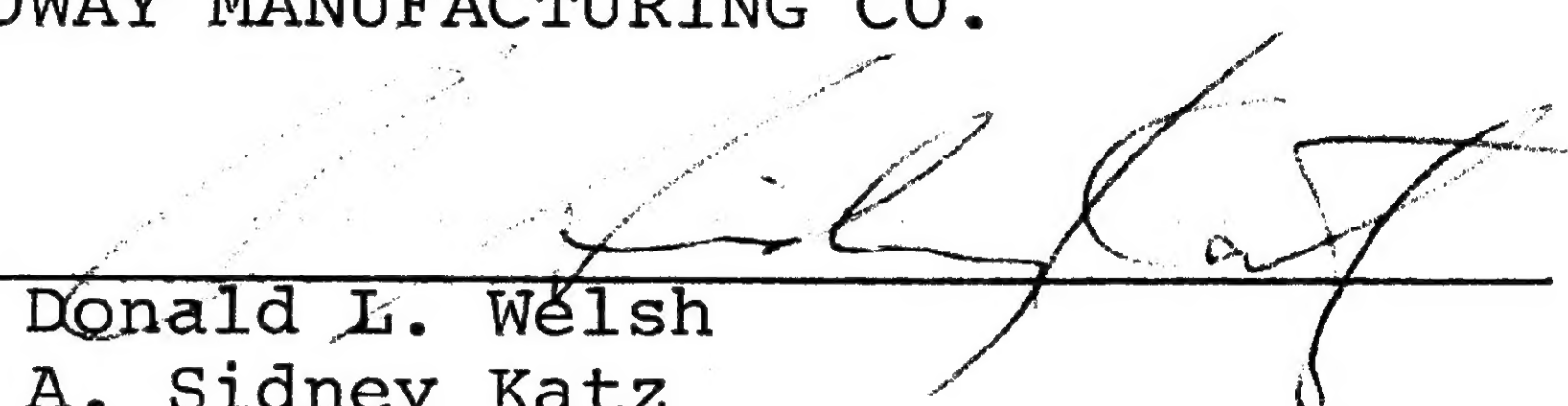
the Complaint filed in said law suit.

Universal is requested to give notice, prior to November 6, 1973, of the person or persons who will testify in addition to Mr. Olliges.

Mr. Gerstman and Universal will be served with subpoenas duces tecum requiring the foregoing witnesses to bring with them the documents and things in their possession, custody or control set forth in the attached Schedule.

MIDWAY MANUFACTURING CO.

By


Donald L. Welsh
A. Sidney Katz
Fitch, Even, Tabin & Luedeka
135 South LaSalle Street - Suite 2157
Chicago, Illinois 60603
312 FR-2-7842

Attorneys for Defendant

CERTIFICATE OF SERVICE

This is to certify that a copy of the foregoing NOTICE OF DEPOSITIONS was served on plaintiff's counsel, George H. Gerstman, Esq., Lettvin and Gerstman, 135 South LaSalle Street, Chicago, Illinois 60603, by messenger, this 25th day of October, 1973.


Attorney for Defendant

SCHEDULE OF DOCUMENTS AND THINGS

1. All documents and things mentioning or relating to Atari, Inc. and/or any printed circuit board made by Atari, Inc. and/or any game (or part thereof) made by Atari, Inc.

2. All documents and things mentioning or relating to the "PONG" ping-pong or tennis game, or any part thereof.

3. All documents in any way showing the circuit, and/or any portion of the circuit, of any "Ric-o-chet" or "Paddle Battle" ping-pong or tennis game, or any other video ping-pong or tennis game made by or for Allied Leisure Industries, Inc., including but not limited to engineering drawings, circuit diagrams, schematics, block diagrams, printed circuit layouts, circuit component lists, sketches, notebook entries and other memoranda.

4. All documents (including but not limited to all negatives, positives, sketches, diagrams, correspondence and notes) relating to the printed circuit part AL5500, including but not limited to its layout, development, preparation, and any prototypes of said part.

5. All documents relating to any and all revisions of printed circuit part AL5500.

6. Mechanical drawing(s) entitled "Printed Circuit Part AL5500 Top and Bottom Sides".

7. Any and all documents relating to the publication of the mechanical drawing(s) entitled "Printed Circuit Part

AL5500 Top and Bottom Sides".

8. All documents and things of any kind showing the printed circuit layout or board used by a company other than Allied Leisure Industries, Inc. in a two player ping-pong or tennis game and/or four player ping-pong or tennis game.

9. The molds and dies used in producing printed circuit part AL5500.

10. All documents and things constituting, mentioning or relating to any printed circuit board for a two player ping-pong or tennis game and/or a four player ping-pong or tennis game made by Midway Manufacturing Co., or which the deponent has any reason to believe was made by or for Midway Manufacturing Co., Bally Manufacturing Corporation, or any company owned or controlled by, or under contract with, either Midway or Bally.

11. Printed circuit part AL5500.

12. All documents relating to the filing, prosecution and issuance of Copyright Registration IP11237.

13. All correspondence to or from Universal Research Laboratories, Inc. relating to Copyright Registration IP11237 or the filing, prosecution or issuance thereof.

14. All correspondence between Allied Leisure Industries, Inc. and Universal Research Laboratories, Inc. relating to:

- (a) printed circuit part AL5500,
- (b) the design or development of printed circuit part AL5500,

- (c) the design or development of any printed circuit part for a two player ping-pong or tennis game or a four player ping-pong or tennis game,
- (b) the defendant, Midwest Manufacturing Co., or Bally Manufacturing Corporation.